

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
BRUNSWICK DIVISION

FILED
U.S. DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA

2012 MAR 30 AM 10:52

CLERK R. Quilley
SO. DIST. OF GA.

MATTHEW LAMONT MANGRAM,

Plaintiff,

v.

CIVIL ACTION NO.: CV212-046

AMANDA WILLIAMS and
BRUCE CHAPMAN,

Defendants.

ORDER and MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Plaintiff filed an action pursuant to 42 U.S.C. § 1983. Plaintiff also filed a motion to proceed *in forma pauperis*. The court must dismiss the complaint or any portion of the complaint that is frivolous, malicious, fails to state a claim upon which relief may be granted, or seeks monetary damages from a defendant who is immune from such relief. 28 U.S.C. § 1915(e)(2).

Plaintiff "would like to be back with [his] wife and daughter and son . . . [and] would like to move into [his] own home." (Doc. No. 1, p. 6). The Clerk of Court has named Amanda Williams and Bruce Chapman as Defendants in this cause of action.

"In order to prevail on a civil rights action under § 1983, a plaintiff must show that he or she was deprived of a federal right by a person acting under color of state law." Griffin v. City of Opa-Locka, 261 F.3d 1295, 1303 (11th Cir. 2001). "[S]tate action requires *both* an alleged constitutional deprivation 'caused by the exercise of some right

or privilege created by the State or by the rule of conduct imposed by the State or by a person for whom the State is responsible,' and that 'the party charged with the deprivation must be a person who may fairly be said to be a state actor.'" Patrick v. Floyd Med. Ctr., 201 F.3d 1313, 1315 (11th Cir. 2000) (emphasis in original) (citation omitted).

Plaintiff fails to make any factual allegations against the named Defendants. Even if Plaintiff had done so, he fails to show that he suffered a constitutional deprivation based on Defendants' actions. Plaintiff's request to proceed *in forma pauperis* is **DENIED**. Plaintiff's Complaint should be **DISMISSED** based on his failure to state a claim on which relief may be granted.

SO ORDERED and REPORTED and RECOMMENDED, this 30th day of March, 2012.


JAMES E. GRAHAM
UNITED STATES MAGISTRATE JUDGE